

IN THE U. S. PATENT AND TRADEMARK OFFICE

In re application of

Takahisa NISHIZU et al.

Conf. 6310

Application No. 10/594,088

Group 2856

Filed: February 26, 2007

Examiner J. P. Fitzgerald

Title: VOLUME MEASURING APPARATUS AND METHOD

RESPONSE

Assistant Commissioner for Patents

October 16, 2009

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This replies to the Official Action of August 17, 2009.

Responsive to the requirement for election of species, Applicants elect Group I, shown in Fig. 1. It is believed that claims 1 and 4-9, 12, 13 and 16 are readable on the elected embodiment.

An action on the merits is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

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RJP/dp